



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

JUL 10 2018

Christopher M. Marston, Esq.  
P.O. Box 26141  
Alexandria, VA 22313

RE: MURs 7078 and 7084  
Special Operations OPSEC  
Education Fund, Inc.

Dear Mr. Marston:

On June 15, 2016, the Federal Election Commission (the "Commission") notified your client of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to your client at that time.

Upon further review of the allegations contained in the complaint, the Commission, on June 28, 2018, voted to dismiss this matter. A Statement of Reasons providing a basis for the Commission's decision may follow.

Documents related to the case will be placed on the public record within 30 days. See Disclosure of Certain Documents in Enforcement and Other Matters, 81 Fed. Reg. 50,702 (Aug. 2, 2016).

If you have any questions, please contact me at (202) 694-1650.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Shonkwiler", is written over a horizontal line.

Mark Shonkwiler  
Assistant General Counsel

**FEDERAL ELECTION COMMISSION**

**FACTUAL AND LEGAL ANALYSIS**

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3 **RESPONDENTS:** Stephen Baggs MUR: 7084  
4 Systems Technology Forum, Ltd.  
5 Thomas Bates  
6 RK Chevrolet, Buick, Subaru, Inc.  
7 Darek Dabbs  
8 Sera-Brynn LLC  
9 Eric Kimble  
10 Kimble Companies/Penn-Ohio Coal Co.  
11 Ronald Kramer  
12 Kramer Management Enterprises, Inc.  
13 Shawn Kuhle  
14 Turner Strategic Technologies  
15 Tactical Defense Solutions LLC  
16 William W. Lee, Jr.  
17 National Research Group, LLC  
18 Bob Miller  
19 Miller-Stephenson & Associates, P.C.  
20 David H. Mutzabaugh  
21 ThunderCat Technology, LLC  
22 Richard D. Roberts  
23 Norfolk Southern Corporation  
24 Eric Sisco  
25 Virginia International Gateway, Inc.  
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27 **I. INTRODUCTION**  
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29 This matter was generated by a Complaint filed with the Federal Election Commission by  
30 Lisa Clarkson. The Complaint alleges multiple federal contractors violated the Federal Election  
31 Campaign Act of 1971, as amended (the "Act") and Commission regulations, by contributing to  
32 Scott Taylor for Congress (the "Committee"). For the reasons set forth below, the Commission  
33 finds no reason to believe that the alleged federal contractors violated the Act or regulations.

**II. FACTUAL AND LEGAL ANALYSIS**

Scott Taylor was a Member of the Virginia House of Delegates, and ran for Congress in Virginia's Second District in 2010 and 2016.<sup>1</sup> The Complaint alleges multiple federal contractors contributed to Taylor's congressional committee.<sup>2</sup>

Federal contractors may not make contributions to political committees, and a Committee may not knowingly solicit donations from federal contractors.<sup>3</sup> This prohibition does not apply to individual employees of a federal contractor who are not themselves contractors.<sup>4</sup> Employees of federal contractors may contribute to federal political committees using personal funds.<sup>5</sup>

The Committee alleges that the contributors identified by the Complaint are employees of federal contractors, not contractors themselves, and may contribute. Nearly all of the named contributors submitted responses affirming that they are not contractors, and that the funds used were personal and not directed by a contractor firm. One contributor did not respond, but the Commission has no information indicating that he is a federal contractor. The Commission therefore finds no reason to believe that the individuals named in the Complaint are federal contractors, and no reason to believe that they violated 52 U.S.C. § 30119(a)(1).

<sup>1</sup> Taylor lost the Republican Primary in 2010, and won election to Congress in 2016.

<sup>2</sup> Compl. at II (June 14, 2016).

<sup>3</sup> 52 U.S.C. § 30119(a)(1)-(2); 11 C.F.R. § 115.2.

<sup>4</sup> 11 C.F.R. § 115.6.

<sup>5</sup> *Id.* Additionally, if a sole proprietorship is a federal contractor, the owner of that entity may not donate to federal campaigns using business, personal or other funds. *Id.* § 115.5.